

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION**

TRAVIS EUGENE BETTS,

Plaintiff,

v.

JACKSON COUNTY, MISSOURI,

et. al,

Defendants.

No. 4:21-CV-00023-DGK

**ORDER GRANTING MOTION FOR LEAVE TO FILE FIRST AMENDED  
COMPLAINT AND DENYING DEFENDANTS' MOTION TO DISMISS AS MOOT**

Now before the Court is Plaintiff's Motion, ECF No. 7, for leave to file First Amended Complaint, or in the alternative, for an extension of time to file a response to Defendants' Joint Motion to Dismiss for Failure to State a Claim, ECF No. 5. Plaintiff requests leave to file his First Amended Complaint in order to correct issues identified by Defendants in their Joint Motion to Dismiss for Failure to State a Claim. Rule 15 allows a party to amend its pleading with the opposing party's written consent or the court's leave. Fed. R. Civ. P. 15(a)(2). Defendants consent to Plaintiff's request to amend the complaint. Further, the Court holds that Plaintiff has shown good cause to amend the complaint. Plaintiff's motion for leave to file his First Amended Complaint is GRANTED. Plaintiff shall file his First Amended Complaint on or before April 9, 2021.

Defendant's Motion to Dismiss for failure to state a claim is DENIED AS MOOT. *Pure Country, Inc. v. Sigma Chi Fraternity*, 312 F.3d 952, 956 (8th Cir. 2002). If Plaintiff's First Amended Complaint fails to address any issues identified in the motion to dismiss, Defendants may file a motion to dismiss part or all of Plaintiff's First Amended Complaint.

**IT IS SO ORDERED.**

Date: April 5, 2021

/s/ Greg Kays  
GREG KAYS, JUDGE  
UNITED STATES DISTRICT COURT